

(e) *Assessment Procedure and Effect.* In ordering street or sidewalk improvements or sidewalk repairs and assessing the cost thereof, the Council shall follow the procedures provided by the General Statutes for street and sidewalk improvements, except those provisions relating to the petition of property owners and the sufficiency thereof. The effect of levying assessments pursuant to this act shall for all purposes be the same as if they were levied under authority of the General Statutes.

(f) *Duty of Maintenance for Driveways and Sidewalks.* It is the duty of every property owner to maintain the sidewalks and driveways abutting his property in good repair and safe condition.

(g) *Payment of Assessments.* Any special assessment of the city for any purpose amounting to less than \$100.00 shall be paid in cash within 90 days of confirmation rather than in annual installments, and shall bear interest as taxes.

(h) *Assessment Where Street is City Limit Line.* In those instances where the city limit line runs along a street or road the City Council may order the improvements and assess the cost thereof against property abutting on both sides of the street as if all the abutting property were within the corporate limits. Regardless of whether the improvement is ordered pursuant to this section or other General Law.

(i) *Assessments Against Cemeteries.* Assessments shall not be made against property owned or held for the sole purpose of burial of the dead unless the City of Raleigh assumes and pays for such assessment.

(j) *Supplementary Authorization.* The procedure herein outlined shall be supplementary in addition to all other procedure authorized by law relating to improvements or special assessments."

Sec. 2. Severability Clause. If any section, subsection, sentence, clause or phrase of this act is for any reason held to be invalid such decision shall not affect the validity of the remaining portions thereof.

Sec. 3. All laws and clauses of laws in conflict herewith are hereby repealed.

Sec. 4. This act shall become effective upon ratification.

In the General Assembly read three times and ratified, this the 21st day of July, 1971.

H. B. 1513

CHAPTER 1210

AN ACT TO AUTHORIZE EITHER THE CITY OF RALEIGH OR WAKE COUNTY OR BOTH BY ORDINANCES TO REGULATE SOIL EROSION.

The General Assembly of North Carolina enacts:

Section 1. The Board of County Commissioners of Wake County is hereby authorized to make such ordinances as it deems appropriate to prevent soil erosion by requiring the submission of plans in order to control sediment erosion at the site of any construction, landscaping, clearing projects or any other project except normal agricultural operations which in any manner alters the natural structure of the land mass within the county; provided however, that such ordinances shall not be applicable to the construction, maintenance, or operation of the facilities of public utilities, as defined in G.S. 62-3, and electric membership corporations. The Board of County Commissioners may establish by ordinance a sediment control program whereby prior to any alteration of the land mass within the unincorporated portion of the county, a permit must be obtained from the Board of County Commissioners, in the manner prescribed by the ordinance, and in accordance with the criteria and standards for proper sediment control as established by the Board of County Commissioners. Such ordinance may also regulate the alteration of the land mass